

DIST/OFFICE	DOCKET YR.	NUMBER	FILING DATE MO.	DAY	YEAR	J	N/S	O	R	H 23	\$	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	YR.	DOCKET NUMBER
1085/4	76	0205	5	7	76	4	110	1	1:2		15		3510 -8509	D P	76	0205-AB C

PLAINTIFFS

THE CATTS COMPANY,
An Oklahoma Corporation

DEFENDANTS

GULF INSURANCE COMPANY,
a foreign Insurance Corporation

CAUSE

Plaintiff is an Oklahoma Corporation with a place a business in Tulsa and Defendant is A Texas Corporation with it's principal place of business in Dallas, Texas.

ATTORNEYS

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☐ CHECK
HERE
IF CASE WAS
FILED IN
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FILING FEES PAID

DATE	RECEIPT NUMBER	C.D. NUMBER

STATISTICAL CARDS

CARD	DATE MAILED
JS-5	6-1-76 2-1-81
JS-6	5-1-78 6-1-81

DATE	NR.	PROCEEDINGS
5-7-76	1.	Complaint, filed. Summons issued. b
5-17-76		U.S. Marshal's service returned and filed. Executed by serving Gulf Ins. Co. by serving Okla. Ins. Commissioner at Oklahoma City, Okla. 5-11-76. (USM \$4.72)jj
5-28	2.	Deft's answer filed.s
5-28	3.	Deft's <u>request for jury trial</u> , filed.s
6-22	MO	Parties are directed to hold PT conf. on or before 8-5-76 & file PT Order on or before 8-11-76. (AEB-J)s cps by cert ml
7-12	4.	Pltf's notice to take depositions of Guy Landes, Jr., Charles Hebert, & B. G. Martin on 7-20-76 at Tulsa, Oklahoma, filed.k Subpoenae issued.
7-21	5.	Deft's interrogatories, filed.s
7-23	6.	Pltf's application for extension of time to file approved pre-trial order, filed. s 0 to J <i>part of appl</i>
7-27		Order, as part of appl., filed, granting parties til 9-30-76 to hold pre-trial conf. & until 10-7-76 to file PT Order. (AEB-J)k cps mld
8-31	7.	Pltf's answers to interogs., filed.k
10-7	8.	Pltf's application for ext. of time (an additional 30 days) to file an approved PT order w/order as part of application, filed.s 0 to J
10-13		Order (part of appl.), filed, granting parties until 11-7-76 to file PT order. (AEB-J)g cp mld.
10-26	9.	Pltf's notice to take deposition of Jack W. Ottinger on 11-3-76 at Okla. City, Oklahoma, filed.s
11-9		Deposition of Henry P. Catts, taken on behalf of deft. before Sid J. Brumjardner w/ fees of \$88.50, filed.k
11-9	10	Pltf's appl. for 30 days to file PT Order, filed.k 0 to J <i>as part of appl</i>
11-9		Return on USM service of deposition subpoena, filed. Returned un-executed as to Jack W. Ottinger. Fees: \$3.40.k
11-9	*	Order, as part of application, granting parties until 12-12-76 to file PT Order, filed.s (AEB-J) cps. mld.
12-21	11	Pltf's appl. for 30 days to file PTO, filed.k 0 to J as part of appl.
12-22 1977		Order, filed, granting pltf. until 2-15-76 to file PT order.s (AEB-J) cps. mld. <i>12-28 PT 0 to J part of appl</i>
3-1	12	PT order fld. (AEB-J) cps mld. ho
3-7	MO:	Case set for Jury trial on 4-11-77, at 9:30 A.M. (AEB-J)b nts by cert ml w/affid.
3-10	13	Deft. mot for S/J. fld. ho
3-10	14	Deft brief in supp. of mot for s/j. fld ho
3-11	MO	It is ordered by the ct that the pltf. file a responsive brief w/in 10 days to deft. mot for S/J. (AEB-J) cps mld. ho
3-23	15	Pltf. brief in opposition to mot. for S/J with Affidavit of H.P. Catts, Jr. & James Gale Reynolds. fld. ho
3-28	16	Deft's response to pltf's brief in opposition to deft's mot. for S/J, filed.k
4-4	MO	It is ordered by the Court that this case is hereby stricken from the 4-11-77 jury trial docket pending disposition of deft's mot. for S/J. (AEB-J)k cps mld
5-11	MO:	Case referred to Magistrate Robert S. Rizley for Findings and Recommendations on all motions. (AEB-J) njb

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE 1977	NR.	PROCEEDINGS	
5-27	MO	Case set for hearing on Defts. mot. for S/J, before Mag. on 6-10-77 at 2:00 P.M. (RSR-MAG) not. mld. ho	
6-10	Min	Case called for hrg. on deft's mot. for S/J. Parties represented. Motion taken under advisement. Mag. to prepare findings and recommendations. (RSR-Mag)k	
7-22	17	Findings & Recommendations of the Magistrate, filed. Mag. recommends that deft's mot for S/J be overruled. (RSR-Mag)k cps mld	
8-3	18.	Order, filed, that deft's mot. for S/J is overruled. (AEB-J)k cps mld	
9-14	MO	Parties are directed to hold a pre-trial conf. on or before 10-27-77 & file a pre-trial order on or before 11-3-77. (AEB-J) cps mld. ho	
10-31		Depo. of Charles M. Herbert taken on behalf of Pltf. before Sid J. Bumgarnder w/fees of \$30.00 pd. by Pltf. fld. ho	
11-18	MO:	Case set for jury trial on 1-9-78, at 9:30 AM. (AEB-J)b nts cert w/affid.	
12-30	19	Pltfs. trial brief, fld. ho	
12-30	20	Pltfs. requested Voir Dire, fld. ho	
12-30	21	Pltfs. requested instructions. fld. ho	
12-30	22	Defts. requested inquiries on Voir Dire examination by the Ct. with Defts. requested instructions, fld. ho	
12-30	23	Deft. trial Brief, fld. ho	
<u>1978</u>			
1-4	24	Affid. of Richard D. Wagner, re: exhibits. fld. ho	
1-6	25.	Pltf's exhibit affidavit, filed.k	
1-6	26.	Pltf's list of witnesses, filed.k	
1-9	27	Pltf. objection to Defts. requested instructions, 4, 6, & 8. fld. ho	
1-9	28	Pltf. brief in supp. of obj. to Defts. requested inst. 4,6,&8, fld.ho	
1-9		Case called for jury trial. Parties present & announce ready. Jury selected & sworn. Jurors & counsel to call cod-a-phone each day for date they are to report back. Pltf. witness Bobby Martin, recognized back. (AEB-J)b	
1-9		Sub., ret. & filed: served B. G. Martin 1-5-78. (USM \$4.40)g	
1-12	MO:	Trial will begin in this case on Monday, 1-16-78, at 10:00 A.M. (AEB-J)b nts phone	
1-17	MO:	Jury trial to begin on Mon., 2/13/78 at 9:30 a.m. (AEB-J)rm-parties notified by phone	
1-18	MO:	Case set for jury trial on 2-13-78, at 9:30 A.M. (AEB-J)b nts cert ml	
2-3	MO:	IT IS ORDERED that this case is stricken from 2-13-78 jury docket & reset on 3-13-78, jury docket at 9.30 A.M. (AEB-J)b nts mld	
3-8	MO:	IT IS ORDERED that this case is stricken from jury docket of 3-13-78, & reset on 4-10-78. (AEB-J)b nts mld	
4-6	MO:	By agreement of parties this case is referred to Royce Savage, as Special Master, for Jury trial, commencing 4-10-78, at 9:30 A.M. Formal written order to be entered. Case will be tried in Ct.Rm. #3. (AEB-J)b nts by phone & ml	
4-6	29.	Order of Reference to Special Master, filed. (AEB-J)b cps mld	
4-11	MO:	Jury trial held. Parties announce ready. Jury duly empaneled and admonished. Opening statements made. Deft. mo/dismiss overruled. Pltf. presents case in chief w/testimony of witnesses and admission of exhibits. Deft. mo/mistrial denied. Pltf rests. Deft. mo/dismissal reserved. Deft. presents case in chief w/testimony of witness and admission of exhibits and rests. Deft. renews mo/dismiss, and mo/directed verdict. Mo/directed verdict sustained. Mrs. Rose Felling directed to sign verdict form as foreman. Verdict, in favor of deft., signed and filed in open ct. Jury discharged. (RHS-SM) (L.Walker-CR)rm	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-205</u>
Catts Co.		Gulf Ins.	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
4-10-78	---	Trial exhibits, filed. rm	
4-10-78	29.	Verdict in favor of deft., at court's direction, filed. rm	
4-10-78	30.	Judgment on jury verdict, in favor of deft. at court's direction, filed and entered. (JCS-Clk)rm-copies mailed	
4-14	31	Deft. mot. to tax costs, fld. ho	
4-14	32	Deft. Brief in supp. of mot. to tax costs, fld. ho	
4-14	MO	It is ordered that the Pltff. is granted 10 days to file a responsive brief to Deft. mot. to tax costs. (AEB-J)ho c/m	
5-3	33	Pltff. appl. for ext. of time to file responsive brief to Deft. mot. to tax costs. fld. ho 0 to J.	
5-3	34	Pltff. notice of appeal, fld. c/m to USCA & counsels. ho	
5-3	35	Pltff. bond for costs of appeal, fld. ho	
5-3	36	Order, filed, granting pltff. leave to file its brief in response to deft's mot. to tax costs. (AEB-J)k cps mld to movant	
5-3	37	Pltff's brief in opposition to deft's motion to tax costs, filed. ho	
5-12	38.	Appellant's designation of record, filed. rm	
5-17	39	Appellees counter designation of record, fld. ho	
5/30	--	Transcript of Jury Trial held 4/10/78 before Hon. Royce H. Savage, Spec. Mstr., fld. by Linda Walker, CSR. v	
6/6	---	Orig. appeal record (2 vols) transmitted to 10th Circuit. rm	
6-12	---	Letter from 10th Circuit, assigning No. 78-1452. rm	
1981 1-9	40	MANDATE & OPINION of 10th Cir., reversing & remanding for further proceedings in accordance w/opinion and FRCP 53(e)(4).rm	
1-9	---	CASE REOPENED AND ASSIGNED TO JUDGE H. DALE COOK.rm	
1-15	41	MOTION by deft to review rulings of law made by special master. nd	
1-15	42	BRIEF by deft in support of motion for review of rulings of law. nd	
1-15	MO	PLAINTIFF to file responsive brief by 1-28-81 to deft's mot/review. (HDC-J) nd cps. mld.	
1-26	43	PLAINTIFF'S RESPONSE BRIEF to deft's mot/review rulings of law made by special master.nd	
2-9-81	--	RECEIVED from 10th circuit Volumes I & II.am	
5-28-81	44	JUDGMENT and ORDER entered that rulings of law of Special Master are adopted & approved; judgment is entered in behalf of deft. Gulf Ins. Co. & against the pltff. The Catts Co. (HDC-J)hm (c/m)	
6-23	45	NOTICE of appeal by pltff. from Order of 5/28/81. rm c/m USCA (FEES PD.)	
6-29	--	LTR. from 10th Cir., assigning No. 81-1711. rm	
7-10	--	LTR. from 10th Cir. to appellant counsel, granting him to 7/18/81 to comply w/Rules 10 and 7. rm	

COOK
CIVIL DOCKET CONTINUATION SHEET

76-C-205-C

PLAINTIFF		DEFENDANT	DOCKET NO. _____
THE CATTS COMPANY		GULF INSURANCE COMPANY	PAGE <u>5</u> OF <u>3</u> PAGES
DATE 1981	NR.	PROCEEDINGS	
7-15	46	DESIGNATION of record on appeal. pt	
7-15	47	NOTICE of transcript order. (Transcript necessary for this appeal has previously been filed in US Dist. Ct.) pt cpy/10th circuit.	
7-16	--	APPEAL RECORD (2 vols) transmitted to 10th Cir. rm	
2-9-84	48	MANDATE & OPINION recd. from 10th Cir. affirming the judg. of the NDOK. pt (O to J for OK)	
5-14-84	--	DEPOSITIONS returned to parties. hm	
7-25	--	EXHIBITS returned to counsel. hm	

3-7-83
When record is
returned from 10th Cir.
we have room in
docket to send it to 10th Cir.

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	